

Service Date: April 11, 2014

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF the Application of) REGULATORY DIVISION
NorthWestern Energy for Hydro Assets)
Purchase) DOCKET NO. D2013.12.85

NOTICE OF COMMISSION ACTION

On December 20, 2013, NorthWestern Energy (NorthWestern) filed its *Application for Hydro Assets Purchase* (Application) with the Montana Public Service Commission (Commission). On January 16, 2014, the Commission issued Procedural Order No. 7323b which established deadlines for discovery, testimony, and additional issues identification. On February 20, 2014, the Commission issued data request PSC-130. On February 21, 2014, the Commission issued data requests PSC-131 to PSC-195. Also on that date, the Montana Consumer Counsel (MCC) issued data requests MCC-187 to MCC-202. On March 3, 2014, NorthWestern objected to PSC-130, 136(e), 167, and MCC-202. NorthWestern subsequently withdrew a portion of its objection to PSC-130 and MCC-202. NorthWestern also filed a brief in support of its objections. The MCC filed a brief in response to NorthWestern's objection to MCC-202.

On April 4, 2014, the Commission overruled NorthWestern's objection to PSC-130 and MCC-202. The Commission determined that the majority of the documents requested by the PSC, pursuant to PSC-130, have been provided, however the remaining requested documents are relevant and shall be provided. The Commission also overruled NorthWestern's objection to MCC-202 and orders NorthWestern to provide any outstanding documents requested pursuant to that data request.

With respect to NorthWestern's objection to PSC-136(e) involving the thermal asset confidential investment memorandum, the Commission sustains that objection. The Commission determined that the thermal asset confidential investment memorandum is not relevant to the issues in the proceeding, and therefore does not need to be provided to the Commission.

NorthWestern objected to PSC-167 which requested the data room index and all documents in the Newfoundland Clean Room. The Commission overrules NorthWestern's objection to providing the index or access to the index to the Newfoundland Clean Room. The Commission holds in abeyance the objection to provide all documents in the Newfoundland Clean Room. Once an index is provided and reviewed by Commission staff, the staff will determine what, if any, documents it believes are relevant to the proceeding and are necessary to be provided to the Commission. With respect to the overruled data requests, responses shall be provided by April 22, 2014.

BY THE MONTANA PUBLIC SERVICE COMMISSION

W. A. (BILL) GALLAGHER, Chairman

BOB LAKE, Vice Chairman

KIRK BUSHMAN, Commissioner

TRAVIS KAVULLA, Commissioner

ROGER KOOPMAN, Commissioner